

**HOMELAND SECURITY AND EMERGENCY
MANAGEMENT DEPARTMENT[605]**

Adopted and Filed

Pursuant to the authority of Iowa Code section 418.7, the Department of Homeland Security and Emergency Management hereby amends Chapter 14, “Flood Mitigation Program,” Iowa Administrative Code.

These amendments implement 2015 Iowa Acts, House Files 616 and 655. These amendments expand the definition of “governmental entity” and add the Director of the Iowa Department of Revenue or the Director’s designee as an ex officio nonvoting member of the Flood Mitigation Board.

Notice of Intended Action was published in the Iowa Administrative Bulletin on September 2, 2015, as **ARC 2119C**. A public hearing was held on September 22, 2015. No public comment was received during the comment period or during the public hearing. These amendments are identical to those published under Notice of Intended Action.

The Department of Homeland Security and Emergency Management adopted these amendments on October 7, 2015.

After analysis and review of this rule making, it has been determined that new jobs are likely to be created.

These amendments are intended to implement Iowa Code chapter 418 as amended by 2015 Iowa Acts, House File 616 and House File 655.

These amendments will become effective on December 2, 2015.

The following amendments are adopted.

ITEM 1. Amend rule **605—14.2(418)**, definition of “Governmental entity,” as follows:

“*Governmental entity*” means any of the following:

1. A county.
2. A city.
3. A joint board or other legal or administrative entity established or designated in an agreement pursuant to Iowa Code chapter 28E or 28F between any of the following:
 - Two or more cities located in whole or in part within the same county.
 - A county and one or more cities that are located in whole or in part within the county.
 - A county, one or more cities that are located in whole or in part within the county, and a drainage district formed by mutual agreement under Iowa Code section 468.142 located in whole or in part within the county.
 - One or more counties, one or more cities that are located in whole or in part within those counties, and one or more sanitary districts established under Iowa Code chapter 358 or a combined water and sanitary district as provided for in Iowa Code sections 357.1B and 358.1B, located in whole or in part within those counties.

ITEM 2. Amend subrule 14.3(2) as follows:

14.3(2) The board shall be comprised of nine voting members and ~~four~~ five ex-officio nonvoting members.

a. The voting members shall include all of the following:

(1) Four members of the general public appointed by the governor and confirmed by the senate in accordance with Iowa Code sections 69.16 and 69.16A. These members shall be appointed to three-year staggered terms, and the terms shall commence and end as provided in Iowa Code section 69.19.

1. Two members of the general public shall have demonstrable experience or expertise in the field of natural disaster recovery.

2. Two members of the general public shall have demonstrable experience or expertise in the field of flood mitigation.

(2) The director of the department of natural resources or the director’s designee.

- (3) The secretary of agriculture or the secretary's designee.
 - (4) The director of the department or the director's designee.
 - (5) The treasurer of state or the treasurer's designee.
 - (6) The executive director of the Iowa finance authority or the executive director's designee.
- b.* The ex-officio nonvoting members shall include ~~four members of the general assembly with one each appointed~~ by the following:
- (1) ~~The~~ A member of the general assembly appointed by the majority leader of the senate.
 - (2) ~~The~~ A member of the general assembly appointed by the minority leader of the senate.
 - (3) ~~The~~ A member of the general assembly appointed by the speaker of the house of representatives.
 - (4) ~~The~~ A member of the general assembly appointed by the minority leader of the house of representatives.
 - (5) The director of the department of revenue or the director's designee.

[Filed 10/7/15, effective 12/2/15]

[Published 10/28/15]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 10/28/15.